

**UNITES STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

X

**Steven Denicola individually and
on behalf of all others similarly
situated**

Plaintiffs

Docket No. 10-2309

-against-

Apelles, L.L.C.

Defendants

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties (the Defendant having not appeared), that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued with prejudice and without costs to either party. This stipulation may be filed without further notice with the clerk of the Court.

S/ JOSEPH MAURO
Joseph Mauro, Esq.
Attorney for Plaintiff

7-9-10
Date